

**Regional Water Quality Control Board  
North Coast Region**

**Staff Summary Report  
June 14, 2024**

**ITEM: 7**

**SUBJECT:**

Public Hearing on Resolution No. R1-2024-0027, to consider approving the 2023 Triennial Review of the *Water Quality Control Plan for the North Coast Region* and the Planning Program Workplan for Fiscal Years 2024-2027 (Michelle Fuller).

**BOARD ACTION:**

The North Coast Regional Water Quality Control Board (Regional Water Board) will consider adoption of Resolution No. R1-2024-0027 (Attachment 1). The Resolution completes and approves the 2023 Triennial Review process and approves the Planning Program Workplan for Fiscal Years 2024-2027.

**BACKGROUND:**

Under the provisions of Clean Water Act sections 303(c), (d), and (e) and Water Code section 13240, the Regional Water Board is responsible for adopting water quality standards and implementation plans into the *Water Quality Control Plan for the North Coast Region* (Basin Plan). The Basin Plan designates beneficial uses for water bodies in the North Coast Region and establishes water quality objectives and implementation plans to protect those beneficial uses. State and federal laws require periodic review of the Basin Plan. Because federal law requires a review every three years, this Basin Plan review is referred to as the “triennial review.”

The triennial review is a process used to identify needed revisions to water quality standards and other elements of the Basin Plan. The Regional Water Board’s role in the triennial review process is to determine if Basin Plan revisions are needed, prioritize, and approve a list of projects that may result in Basin Plan revisions. The project list then serves as the basis of a three-year work plan for the Planning Program.

**DISCUSSION:**

Regional Water Board staff (Staff) initiated the 2023 triennial review of the Basin Plan on March 7, 2023, by providing notice and opening a 59-day public planning project solicitation period that ended on May 5, 2023. Proposals were received from Regional Water Board staff, other government agencies, tribes, non-profit organizations, and individuals.

Staff prepared a draft staff report that summarized each of the 12 new planning project proposals received, described the status of ongoing projects, and described the basis

for staff's recommendations to the Regional Water Board with respect to a proposed Planning Program Workplan. The draft 2023 Triennial Review documents were circulated for a 45-day public review and comment period between September 15 and October 30, 2023. The draft 2023 Triennial Review documents included: 1) *draft Staff Report 2023 Triennial Review of the Water Quality Control Plan for the North Coast Region* (draft Staff Report), and the draft Planning Program Workplan for Fiscal Years 2024-2027.

Staff received 12 public comment letters from environmental advocacy organizations, government bodies, and elected officials. Over half of the comment letters addressed Section 3.2.4 of the draft Staff Report, Outstanding National Resource Waters (ONRW). Five comment letters, including an online petition signed by over 500 individuals, specifically request ONRW designations for Cedar Creek and Elder Creek. One letter requests the Board designate the Smith River, and another requests the use of ONRW designation more generally. Other substantive comments were related to instream flow criteria; ongoing total maximum daily load (TMDL) watershed projects and requests for new TMDLs; implementation of policies and programs; and tribal beneficial uses.

Summaries of the comments received, and staff responses are documented in the Staff Response to Comments document (Attachment 5). Staff continued to meet with project proponents from the proposal solicitation phase to understand water quality concerns and how they could be addressed.

The number of potential planning projects far outweighs resources available to update the Basin Plan. Both the number of project proposals and the lengthy administrative process required to prepare an amendment limit what staff can achieve during each triennial review period. There are 5 Planning Unit staff available to work on projects identified in the FY2024-2027 Planning Program Workplan, and staff are working with interested stakeholders to develop additional external resources where practicable. Additionally, some projects identified in the Planning Program Workplan will be led by Regional Water Board staff outside of the Planning Unit.

After consideration of public comments, staff revised their recommendations for the Planning Program Workplan to include project work on potential ONRW designations and Trinity River site specific temperature objectives. Staff also added allocations for updates and reconsideration of the Russian River Pathogen TMDL Action Plan and completing the Coastal Pathogen Project. Revised recommendations are reflected in the *Final Staff Report 2023 Triennial Review Water Quality Control Plan for the North Coast Region* (Attachment 2) and the proposed FY 2024-2027 Planning Program Workplan (Attachment 3) has been updated accordingly.

The following projects are proposed for staffing during this triennial review workplan period:

- Russian River Pathogen TMDL Action Plan
- Coastal Pathogen Project
- Gualala Sediment TMDL Action Plan
- Laguna de Santa Rosa Watershed Sediment, Phosphorus, Nitrogen, and Temperature TMDLs

## Item 7

- Native American Culture Beneficial Uses
- 2027 Triennial Review
- Narrative Flow Objective
- Lower Eel River Exception to Seasonal Discharge Prohibition
- Outstanding National Resource Waters
- Trinity Temperature Objectives
- Basin Plan Remediation

### **RECOMMENDATION:**

Adopt Resolution No. R1-2024-0027, as proposed.

### **SUPPORTING DOCUMENTS:**

1. Proposed Resolution No. R1-2024-0027
2. Final Staff Report 2023 Triennial Review of the Water Quality Control Plan for the North Coast Region
3. FY 2024-2027 Planning Program Workplan
4. Public Comment Notice
5. Response to Written Comments